

House File 2398

H-8075

1 Amend House File 2398 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 256E.7, subsection 1, Code 2022, is  
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *Oi.* Be subject to and comply with sections  
6 279.13 and 279.69 relating to state criminal history checks for  
7 teachers and registry checks for school employees in the same  
8 manner as a school district.>

9 2. Page 2, after line 13 by inserting:

10 <Sec. \_\_\_\_\_. Section 279.13, subsection 1, paragraph b,  
11 subparagraphs (1) and (2), Code 2022, are amended to read as  
12 follows:

13 (1) Prior to entering into an initial contract with a  
14 teacher who holds a license other than an initial license  
15 issued by the board of educational examiners under chapter  
16 272, the school district or accredited nonpublic school  
17 shall initiate a state criminal history record check of the  
18 applicant through the division of criminal investigation  
19 of the department of public safety, submit the applicant's  
20 fingerprints to the division for submission to the federal  
21 bureau of investigation for a national criminal history record  
22 check, and review the sex offender registry information under  
23 section 692A.121 available to the general public, the central  
24 registry for child abuse information established under section  
25 235A.14, and the central registry for dependent adult abuse  
26 information established under [section 235B.5](#) for information  
27 regarding the applicant for employment as a teacher.

28 (2) The school district or accredited nonpublic school  
29 may charge the applicant a fee not to exceed the actual cost  
30 charged the school district or accredited nonpublic school for  
31 the state and national criminal history checks and registry  
32 checks conducted pursuant to subparagraph (1).

33 Sec. \_\_\_\_\_. Section 279.69, Code 2022, is amended to read as  
34 follows:

35 **279.69 School employees — background investigations.**

1 1. Prior to hiring an applicant for a school employee  
2 position, a school district or accredited nonpublic school  
3 shall have access to and shall review the information in the  
4 Iowa court information system available to the general public,  
5 the sex offender registry information under [section 692A.121](#)  
6 available to the general public, the central registry for  
7 child abuse information established under [section 235A.14](#), and  
8 the central registry for dependent adult abuse information  
9 established under [section 235B.5](#) for information regarding the  
10 applicant. A school district shall follow the same procedure  
11 by June 30, 2014, for each school employee employed by the  
12 school district as of July 1, 2013. A school district or  
13 accredited nonpublic school shall implement a consistent  
14 policy to follow the same procedure for each school employee  
15 employed by the school district or accredited nonpublic school  
16 on or after July 1, 2013, at least every five years after the  
17 school employee's initial date of hire. A school district or  
18 accredited nonpublic school shall not charge an employee for  
19 the cost of the registry checks conducted pursuant to this  
20 subsection. A school district or accredited nonpublic school  
21 shall maintain documentation demonstrating compliance with this  
22 subsection.

23 2. Being listed in the sex offender registry established  
24 under [chapter 692A](#), the central registry for child abuse  
25 information established under [section 235A.14](#), or the central  
26 registry for dependent adult abuse information established  
27 under [section 235B.5](#) shall constitute grounds for the immediate  
28 suspension from duties of a school employee, pending a  
29 termination hearing by the board of directors of a school  
30 district or the authorities in charge of an accredited  
31 nonpublic school. A termination hearing conducted pursuant to  
32 this subsection shall be limited to the question of whether the  
33 school employee was incorrectly listed in the registry.

34 3. For purposes of [this section](#), "school employee" means  
35 an individual employed by a school district or an accredited

1 nonpublic school, as applicable, including a part-time,  
2 substitute, or contract employee. "School employee" does not  
3 include an individual subject to a background investigation  
4 pursuant to [section 272.2, subsection 17](#), section 279.13,  
5 subsection 1, paragraph "b", or [section 321.375, subsection 2.](#)>  
6 3. Title page, by striking lines 1 through 3 and inserting  
7 <An Act relating to certain specified employees of school  
8 districts, accredited nonpublic schools, and charter schools,  
9 including renewal requirements associated with licenses  
10 issued by the board of educational examiners to practitioners  
11 with master's or doctoral degrees and background checks for  
12 employees of school districts, accredited nonpublic schools,  
13 and charter schools.>  
14 4. By renumbering as necessary.

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GJERDE of Linn